



GRANTED and Plaintiffs' Amended Complaints in this Consolidated Action are hereby DISMISSED and judgment is entered in favor of Defendant Clinton Township.

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The Honorable Matthew W. Brann



Executrix of the Estate of Darrin E. Ziemer, and Angela Lynne Martin,  
Individually and as Administratrix of the Estate of Howard Edward Martin, Jr., on  
all counts of their Amended Complaints in this consolidated action, on the basis of  
the facts and authorities set forth in the accompanying Memorandum of Law and  
Statement of Uncontested Facts, which are incorporated here in by reference as if  
set forth at length herein.

Respectfully submitted,

DATE: July 1, 2019

By: /s/ David J. MacMain

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**CERTIFICATE OF CONCURRENCE/NON-CONCURRENCE**

I, David J. MacMain, attorney for Defendant, Clinton Township, certify that concurrence in Defendant's Motion for Summary Judgment was sought, but not obtained, from counsel for the two Plaintiffs.

DATE: July 1, 2019

By: /s/ David J. MacMain  
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**CERTIFICATE OF COMPLIANCE**

I hereby certify that this brief is in compliance with the type/volume requirements set forth in Local Rule 7.8(b)(2) as it contains 4,828 words.

DATE: July 1, 2019

By: /s/ David J. MacMain

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**CERTIFICATE OF SERVICE**

I, David J. MacMain, hereby certify that on this 1<sup>st</sup> day of July, 2019, the foregoing was filed electronically and is available for viewing and downloading from the ECF system of the U.S. District Court for the Middle District of Pennsylvania. The following parties received electronic service of the Notice of Electronic Case Filing:

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